

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

In the Matter of)

RM-8499

Amendment of the Commission's Rules)
to Establish a New Radio Service)

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

REPLY COMMENTS

MOTOROLA, INC.

Motorola Inc. ("Motorola") hereby responds to comments filed in opposition to the above-referenced Petition for Rule Making submitted by the Tandy Corporation ("Tandy Petition")¹ to create a new personal radio service on frequencies in the 460 MHz band. Motorola reiterates its support for the Tandy Petition and urges the FCC to expeditiously issue a Notice of Proposed Rule Making to settle the remaining technical matters. Contrary to opposing arguments, the public interest is better served by the creation of a new unlicensed personal radio service that offers consumers improved communications options in a cost-effective manner.

I. Background

The Tandy Petition seeks the creation of a new unlicensed radio service utilizing frequencies currently allocated to the General Mobile Radio Service ("GMRS"). As proposed, Tandy's "Family Radio Service" would provide two-way, short range voice service, free of access charges or service fees, to satisfy the routine and emergency

¹ Public Notice, Report No. 2023, released July 26, 1994.

communications needs of families, friends and public service organizations.² Tandy has proposed to prohibit interconnection with the public switched telephone network and would limit transmitter power to 500 milliwatts.³ Spectrum would come from the 462/467 MHz bands "interstitial" channels immediately adjacent to the regularly assigned GMRS frequencies.⁴ Finally, Tandy believes that users should have access to the 462/467.675 MHz GMRS emergency channel pair and asks that the FCC consider the regulatory implications of such a proposal.

In support of the Tandy Petition, Motorola and the Telecommunications Industry Association ("TIA") filed comments urging the FCC to issue a Notice of Proposed Rule Making to create this new service. Motorola noted that "a strong market exists in this country for a low-cost yet sophisticated two-way radio service that provides greater service reliability than citizens band ("CB") radio without the regulatory oversight that accompanies the GMRS service."⁵ TIA also foresees a "potential strong market" exists for the proposed service with applications varying from "parents keeping in contact with children, local watch patrols monitoring neighborhood activities, small businesses improving their efficiency through radio, and outdoor recreationists enhancing the

² Id. at 2.

³ Id.

⁴ Id. at 7-8. More specifically, Tandy proposes to use the seven interstitial channels in the 462 MHz band (which are currently available to the GMRS for simplex use) as well as the seven interstitial channels in the 467 MHz band (which are currently held in reserve to the GMRS). The specific frequencies are 462/467.5625 MHz, 462/467.5875 MHz, 462/467.6125 MHz, 462/467.6375 MHz, 462/467.6625 MHz, 462/467.6875 MHz and 462/467.7125 MHz.

⁵ *Statement of Support of Motorola* at 3.

enjoyment of their activity while increasing their safety as well."⁶ Both Motorola and the TIA strongly supported an unlicensed approach to this proposed radio service with Motorola citing the FCC's authority under Section 307 of the Communications Act to not require licenses for the citizens band radio service as it defines that service.⁷

Three parties filed comments in opposition to the Tandy Petition. Michael C. Trahos, a GMRS licensee who serves as a volunteer frequency coordinator for the Washington, D.C. area, indicated concern for the potential for interference to GMRS repeater receivers operating in the 467 MHz band.⁸ In addition, Mr. Trahos opposed the proposal to allow users of the proposed Family Radio Service free access to GMRS repeaters noting that unlimited consumer access to the facilities would "undermine the financial foundation for several cooperatively shared user systems".⁹ Mr. Trahos states, however, that if the FCC finds that the public interest is served by authorizing the Family Radio Service, it should (1) only allow use of the 462 MHz frequencies, (2) restrict effective radiated power to 500 milliwatts, (3) prohibit external antenna connections, and (4) require any transmissions on the 462.625 MHz GMRS emergency frequency to be accompanied with a call sign based upon the user's 7-digit telephone number.¹⁰

⁶ *Comments of the Mobile and Personal Communications Division, Private Radio Section of the Telecommunications Industry Association* at 1,2.

⁷ *Statement of Support of Motorola* at 5.

⁸ *Comments of Michael C. Trahos* at 4.

⁹ *Id.* at 9.

¹⁰ *Id.* at 12.

Comments were also filed by REACT International, Inc. ("REACT"), a member based organization of public service teams serving local communities by monitoring CB channel 9, providing community watch programs, providing communications capabilities to disaster service organizations such as the American National Red Cross and the Salvation Army as well as other activities.¹¹ While noting that "[t]here exists today needs for additional and/or enhanced communications alternatives for the family and for public service volunteers"¹² and that it "strongly agrees with the concept"¹³ REACT nonetheless recommends that the FCC dismiss the Tandy Petition and instead initiate discussion with the various constituencies that require improved communications.¹⁴ REACT appears most concerned with the impact to the GMRS, particularly with respect to undisciplined and unlicensed users accessing the GMRS emergency repeaters.¹⁵ Also, REACT suggests that improved CB technologies may better serve the needs defined by Tandy.¹⁶

Finally, Personal Radio Steering Group, Inc. ("PSRG") opposes the Tandy Petition for a variety of reasons but particularly because the proposed service would "disrupt and impair both current GMRS operations and future GMRS mobile

¹¹ *Comments of REACT International, Inc.* at 2.

¹² *Id.* at 3

¹³ *Id.* at 9.

¹⁴ *Id.* at 1.

¹⁵ *Id.* at 5-7.

¹⁶ *Id.* at 8.

information infrastructure."¹⁷ In short, PSRG views the Tandy Petition as "not innovative"¹⁸ and claims that mixing licensed and unlicensed operations on the same frequencies is "unworkable".¹⁹

II. Contrary to Opposing Arguments, the Family Radio Service Would Serve the Public Interest.

Motorola has carefully reviewed the comments filed in opposition to the Tandy Petition and remains convinced that the FCC should initiate a rule making proceeding seeking to create an unlicensed "Family Radio Service" using the GMRS interstitial channels. This new consumer service would provide a new communications option to individuals not adequately served by either CB radio or the GMRS. This point is confirmed by REACT, which indicated that CB radio is characterized by "poor signal quality" and that the GMRS service is not structured to handle a significant influx of new users.²⁰ To address the void created by the deficiencies of those two services, an unlicensed Family Radio Service is needed to make high quality, low cost two-way radio available to an entire new segment of the general public.

In its comments, REACT suggests that implementation of the Tandy Petition would result in thousands and perhaps millions of new radio users.²¹ Motorola agrees

¹⁷ *Comments of the PSRG* at ii.

¹⁸ *Id.* at 12.

¹⁹ *Id.* at 3.

²⁰ *Comments of REACT* at 4.

²¹ *Id.*

that there is unmet demand for this service and believes this to be the single greatest justification for moving forward. Unfortunately, the PSRG appears to fear increased use of the spectrum and would rather retain regulatory layers to restrict "users and uses."²² Motorola contends that such thinking is counterproductive -- the FCC should be seeking regulatory policies that encourage the wide spread use of radio. Using the GMRS interstitial channels for an unlicensed consumer service that relies on cost-effective, proven technologies would serve that purpose.²³

REACT, PSRG and Trahos all express concerns about the potential for interference to GMRS repeater input channels from operations on the 467 MHz channels. Motorola believes that these issues should be fully ventilated in the rule making proceeding. Nonetheless, Motorola is confident that a combination of power and bandwidth limitations applicable to the proposed service can be crafted to offer sufficient protection. Finally, Motorola reiterates its complete support for the proposal that this new service be offered on an unlicensed basis. The success of this proposed service is based largely on the ability of manufacturers to offer low cost equipment. Burdensome regulations and expensive licensing fees would likely offset any advantages that manufacturers could achieve through mass-marketing approaches.

²² *Comments of PSRG at 8.*

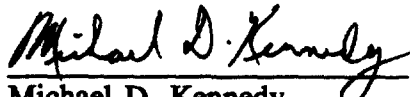
²³ Also, Motorola takes issue with the comments suggesting that a more appropriate approach for the Family Radio Service would be to implement more advanced technologies in the 27 MHz CB radio service. That service is subject to several technical limitations that preclude its development for services envisioned by Motorola. For example, the CB service is limited by very poor received signal quality, long range skip interference, awkward and inefficient antennas for hand held equipment, interference caused by sun spot activity, and, finally, several million existing radios which would not be improved by any new technical designs.

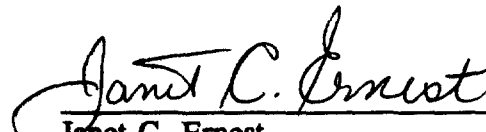
III. Conclusion

Motorola strongly supports the initiation of a rule making proceeding to create the proposed Family Radio Service on the GMRS interstitial channels. As proposed, this service would satisfy the demands of thousands of consumers and bring the advantages of radio to new segments of the population. In so doing, the FCC should remain mindful of the legitimate concerns of the traditional GMRS community and ensure that operations on the primary GMRS channels are not adversely affected.

Respectfully Submitted,

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September 9, 1994

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September, 1994, I caused copies of the foregoing "Reply Comments of Motorola Inc." to be mailed via first-class postage prepaid mail to the following:



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